



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77284

Tetsuya KOJIMA

Appln. No.: 10/652,254

Group Art Unit: 1752

Confirmation No.: 1855

Examiner: Thorl Chea

Filed: September 02, 2003

For: HEAT DEVELOPMENT METHOD

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on June 1, 2005:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was provided to the undersigned at the end of the interview conducted on June 1, 2005.

During the interview, the following was discussed:

- 1. Brief description of exhibits or demonstration:** None
- 2. Identification of claims discussed:** Claims 1-3
- 3. Identification of art discussed:** Toya
- 4. Identification of principal proposed amendments:** None
- 5. Brief Identification of principal arguments:**

Regarding the rejection of the claims under 35 U.S.C. § 112, 1st and 2nd paragraph, it was pointed out to the Examiner that the description on pages 71-72 of the heat development

process in conjunction with the disclosure of what was known in the art and suitable apparatuses for carrying out the claimed invention as well as Figures 8 and 9 of the specification provided relevant information regarding the claimed invention. It was also suggested that Applicants could provide evidence in the form of a Declaration under 37 C.F.R. § 1.132 that the parameters of the process such as the "start up" temperature and target temperature were known in the art at the time the application was filed.

6. Indication of other pertinent matters discussed: None

7. Results of Interview:

The Examiner indicated that the claim language was so unclear that the Examiner could not determine the scope of the claims. The Examiner further indicated that it would be hard to make a determination regarding any evidence submitted in a Declaration under 37 C.F.R. § 1.132 because based on the present claim language the scope of protection sought by Applicants cannot be determined. In this regard, the Examiner took the position that the claims lacked essential elements in the claims such as the start up temperature, target temperature and start up amount of light and coupled with a lack of a clear definition of such terms and parameters in the specification, it is difficult to determine what the claimed process is. Therefore, the Examiner maintained his position with respect to the rejections of record.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

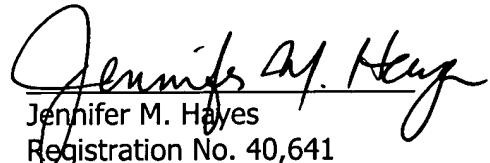
It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to

Statement of Substance of Interview
U.S. App. Ser. No. 10/652,254

Atty Dckt No. Q77284

maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



Jennifer M. Hayes
Registration No. 40,641

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 2, 2005